

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO

2017 OCT 23 PM 12:54

CLERK U.S. DISTRICT COURT,
NORTHERN DISTRICT OF OHIO
CLEVELAND

Shawn K Weiler,
Plaintiff

Plaintiff

-VS-

CASE NO.: _____

IRS

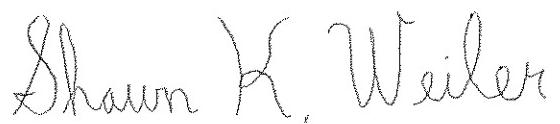
Defendant(s)

JUDGE

JUDGE NUGENT

COMPLAINT

1. Defendant: Internal Revenue Service
2. 1111 Constitution Ave., NW
Washington, DC 20244
3. Jurisdiction: 26 U.S.C § 7422 1954 – Internal Revenue Code – Civil actions for refund
4. Earlier this year, I filed tax returns for the tax years 2015 and 2016 and an amended return for 2014. All returns were mailed before the filing deadline of April 18th 2017. For all returns, I asserted that I had zero taxable income. I included Form 4852 to correct the erroneous W-2s which I had received from my employers.
5. For the tax year 2014, I submitted a return after receiving a notice that there was no record of a previous tax return and that I should submit a new return instead of the amended return which I originally submitted. I submitted a new return with both my W-2 and 4852. In response to this return, I received a full refund of what I asked for, but no interest.
6. For the tax year 2015, I was contacted via mail (dated Apr. 5, 2017) to verify my identity because the IRS was not sure that someone was not stealing my identity. I called the IRS and verified my identity and I was assured that I would receive my refund within 90 days. I received no refund. I phone called later (probably early July) and I was assured that I would receive some response in the form of a refund or letter. I did receive a letter (dated Aug. 18th, 2017) claiming that I had filed a frivolous return. I was not convinced that I had in fact done so, so I replied with a letter (dated August 27th, 2017) contending the IRS's assertion and asserting my rights. I have received no response yet.
7. For the tax year 2016, I received a refund including interest and a notice of refund adjustment, but the amount minus the interest was not equal to the amount that I asserted on my tax return. I sent a letter (dated July 23, 2017) expressing my displeasure and requesting that the difference be remitted to me. I received a letter (dated Aug. 18th, 2017) claiming that I had filed a frivolous return. I was not convinced that I had in fact done so, so I replied with a letter (dated August 27th, 2017) contending the IRS's assertion and asserting my rights. I have received no response yet.
8. I request that the court order that all money owed me including my tax refunds and any interest and all of my court costs be remitted to me by the IRS.



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10-22-17